

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. <b>CV 12-00067 DMR</b>	DATE FILED <b>1/5/2012</b>	U.S. DISTRICT COURT <b>1301 Clay Street, Suite 400S, Oakland, CA 94612</b>
PLAINTIFF <b>ROBERT BOSCH HEALTHCARE SYSTEMS, INC.</b>		DEFENDANT <b>WALDO NETWORKS, INC</b>

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
<b>1 5,997,476</b>		<b>*See attached complaint</b>
<b>2 6,334,778</b>		
<b>3 6,368,223</b>		
<b>4 6,968,375</b>		
<b>5 7,223,236</b>		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
<b>1</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
--------------------

CLERK <b>Richard W. Wiekling</b>	(BY) DEPUTY CLERK <b>Valerie Kyono</b>	DATE <b>January 6, 2012</b>
-------------------------------------	---	--------------------------------

Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

ADR

E-FILING

ORIGINAL FILED

JAN 01 2007

Richard M. Whiting  
Clerk, U.S. District Court  
Northern District of California  
San Jose

DORSEY & WHITNEY LLP  
Patricia A. Welch (#127889)  
Email: welch.patricia@dorsey.com  
305 Lytton Avenue  
Palo Alto, CA 94301  
Telephone: (650) 857-1717  
Facsimile: (650) 857-1288

Devan V. Padmanabhan (to be admitted *Pro Hac Vice*)  
Email: padmanabhan.devan@dorsey.com  
Paul J. Robbenolt (to be admitted *Pro Hac Vice*)  
Email: robbenolt.paul@dorsey.com  
50 South Sixth Street, Suite 1500,  
Minneapolis, MN 55402-1498  
Telephone: (612) 340-2600  
Facsimile: (612) 340-8856

Attorneys for Plaintiff  
Robert Bosch Healthcare Systems,  
Inc.

UNITED STATES DISTRICT COURT  
THE NORTHERN DISTRICT OF CALIFORNIA

DMR

Robert Bosch Healthcare Systems, Inc.

Plaintiff,

v.

Waldo Networks, Inc.

Defendant.

CASE NO.:

CV 12-00067

COMPLAINT

DEMAND FOR JURY TRIAL

Plaintiff Robert Bosch Healthcare Systems, Inc. ("Bosch"), for its Complaint against Defendant Waldo Networks, Inc. ("Waldo"), states and alleges as follows:

PARTIES

1. Bosch is a Michigan corporation with its principal place of business at 2400 Geng Road, Suite 200, Palo Alto, California, 94303.

2. Waldo is, on information and belief, a Delaware corporation with its principal place of

1 business at 4505 Spicewood Springs Road, Suite 333, Austin, Texas, 78759.

## 2 JURISDICTION AND VENUE

3 3. This is an action for patent infringement arising under the patent laws of the United States,  
4 Title 35 of the United States Code. This Court has subject matter jurisdiction over this action pursuant to  
5 28 U.S.C. §§ 1331 and 1338(a). Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b) and  
6 1400(b).

## 7 INTRADISTRICT ASSIGNMENT

8 4. This action arises in the County of Santa Clara, because a substantial part of the events or  
9 omissions which give rise to the claim occurred in that county, in that Bosch's principal place of business  
10 is in Santa Clara County.

## 11 FACTUAL BACKGROUND

### 12 The Patents-in-Suit

13 5. On December 7, 1999, the United States Patent Office awarded to Stephen J. Brown U.S.  
14 Patent No. 5,997,476 ("the '476 Patent"), entitled "Networked System for Interactive Communication and  
15 Remote Monitoring of Individuals," directed to a remote health monitoring system. A true and correct  
16 copy of the '476 Patent is attached hereto as Exhibit A.

17 6. On January 1, 2002, the United States Patent Office awarded to Stephen J. Brown U.S.  
18 Patent No. 6,334,778 B1 ("the '778 Patent"), entitled "Remote Psychological Diagnosis and Monitoring  
19 System," directed to a system for remote assessment of a patient's psychological condition. A true and  
20 correct copy of the '778 Patent is attached hereto as Exhibit B.

21 7. On April 9, 2002, the United States Patent Office awarded to Stephen J. Brown U.S. Patent  
22 No. 6,368,273 B1 ("the '273 Patent"), entitled "Networked System for Interactive Communication and  
23 Remote Monitoring of Individuals," directed to a remote health monitoring system. A true and correct  
24 copy of the '273 Patent is attached hereto as Exhibit C.

25 8. On November 22, 2005, the United States Patent Office awarded to Stephen J. Brown U.S.  
26 Patent No. 6,968,375 B1 ("the '375 Patent"), entitled "Networked System for Interactive Communication  
27 and Remote Monitoring of Individuals," directed to a remote health monitoring system. A true and  
28 correct copy of the '375 Patent is attached hereto as Exhibit D.

9. On May 29, 2007, the United States Patent Office awarded to Stephen J. Brown U.S. Patent No. 7,223,236 B2 (“the ‘236 Patent”), entitled “System and Method for Monitoring User-Related Data From a Person,” directed to a remote physiological data monitoring system. A true and correct copy of the ‘236 Patent is attached hereto as Exhibit E.

10. Bosch is the owner by assignment of each of the Patents-in-Suit.

### Waldo's Infringing System

11. On information and belief, Waldo makes, sells, offers for sale, and/or uses in the United States a remote health monitoring system it calls the “Waldo Health Management System.”

12. The Waldo Health Management System meets all of the limitations of one or more of the claims of the Patents-in-Suit. The Waldo Health Management System therefore infringes the Patents-in-Suit.

13. The Waldo Health Management System includes as a component a “Waldo Home Monitor.”

14. The Waldo Home Monitor is an interactive remote device designed for use by patients in their homes to monitor vital signs and health information and transfer that information to care providers.

15. The Waldo Home Monitor devices are managed remotely by a set of computer servers.

16. The Waldo Home Monitor supports connectivity through WiFi, Ethernet, 3G, WiMax, and POTS.

17. The Waldo Home Monitor includes a “Checkup” module that interfaces with a multitude of portable and mobile home based monitoring devices such as blood glucose meters, blood pressure monitors, blood oxygen sensors, scales, and others to monitor, store, retrieve, and regularly report health status information to patients and care providers.

18. The Waldo Home Monitor includes a “How Are You” module that provides a survey that asks the patient questions that health care providers list as important for the ongoing care of the patient.

19. The “How Are You” module allows care providers to have access to a patient’s self-assessed mental and physical states.

20. The questions in the “How Are You” module survey may be changed as needed to support changing health conditions.

- 1           21.     The content of the "How Are You" module may be customized and extended.
- 2           22.     The Waldo Home Monitor also includes a "Learn More" module that provides information  
3 to patients.
- 4           23.     The "Learn More" module guides the patient through symptom tracking to understand  
5 what possible medical conditions might be present.
- 6           24.     The "Learn More" module provides additional information to patients, including diets,  
7 informational videos, health fact sheets, and treatment regiments.
- 8           25.     The Home Health Monitor can directly support two way voice and video conferencing  
9 between the patient and care providers.
- 10          26.     Another component of the Waldo Health Management System is the "Waldo Health  
11 Patient Management System."
- 12          27.     The Waldo Health Patient Management System allows care providers to review the health  
13 status and history of patients via an Internet website.
- 14          28.     Patient information that is collected by a Waldo Home Monitor is stored on databases and  
15 accessible to care givers via the Waldo Health Patient Management System.

16                               **Waldo's Knowledge of the Patents-in-Suit**

- 17          29.     Bosch has informed Waldo of the Patents-in-Suit and Waldo's infringement of those  
18 patents.
- 19          30.     Waldo's infringement of the Patents-in-Suit is willful and deliberate.

20                               **COUNT I—INFRINGEMENT OF THE '476 PATENT**

- 21          31.     Bosch reasserts and incorporates herein by reference the allegations set forth in paragraphs  
22 1-30 as though fully set forth herein.
- 23          32.     Waldo has infringed one or more claims of the '476 Patent, either literally or under the  
24 doctrine of equivalents, by making, selling, offering to sell, and/or operating its "Waldo Health  
25 Management System" in the United States.
- 26          33.     Waldo's infringement of the '476 Patent has been willful and deliberate and will continue  
27 unless enjoined by the Court.
- 28          34.     Bosch has been damaged by Waldo's infringing activities and will be injured irreparably

1 unless such activities are enjoined by this Court.

2 **COUNT II—INFRINGEMENT OF THE ‘778 PATENT**

3 35. Bosch reasserts and incorporates herein by reference the allegations set forth in paragraphs  
4 1-34 as though fully set forth herein.

5 36. Waldo has infringed one or more claims of the ‘778 Patent, either literally or under the  
6 doctrine of equivalents, by making, selling, offering to sell, and/or operating its “Waldo Health  
7 Management System” in the United States.

8 37. Waldo’s infringement of the ‘778 Patent has been willful and deliberate and will continue  
9 unless enjoined by the Court.

10 38. Bosch has been damaged by Waldo’s infringing activities and will be injured irreparably  
11 unless such activities are enjoined by this Court.

12 **COUNT III—INFRINGEMENT OF THE ‘273 PATENT**

13 39. Bosch reasserts and incorporates herein by reference the allegations set forth in paragraphs  
14 1-38 as though fully set forth herein.

15 40. Waldo has infringed one or more claims of the ‘273 Patent, either literally or under the  
16 doctrine of equivalents, by making, selling, offering to sell, and/or operating its “Waldo Health  
17 Management System” in the United States.

18 41. Waldo’s infringement of the ‘273 Patent has been willful and deliberate and will continue  
19 unless enjoined by the Court.

20 42. Bosch has been damaged by Waldo’s infringing activities and will be injured irreparably  
21 unless such activities are enjoined by this Court.

22 **COUNT IV—INFRINGEMENT OF THE ‘375 PATENT**

23 43. Bosch reasserts and incorporates herein by reference the allegations set forth in paragraphs  
24 1-42 as though fully set forth herein.

25 44. Waldo has infringed one or more claims of the ‘375 Patent, either literally or under the  
26 doctrine of equivalents, by making, selling, offering to sell, and/or operating its “Waldo Health  
27 Management System” in the United States.

28 45. Waldo’s infringement of the ‘375 Patent has been willful and deliberate and will continue

1 unless enjoined by the Court.

2 46. Bosch has been damaged by Waldo's infringing activities and will be injured irreparably  
3 unless such activities are enjoined by this Court.

4 **COUNT V—INFRINGEMENT OF THE '236 PATENT**

5 47. Bosch reasserts and incorporates herein by reference the allegations set forth in paragraphs  
6 1-46 as though fully set forth herein.

7 48. Waldo has infringed one or more claims of the '236 Patent, either literally or under the  
8 doctrine of equivalents, by making, selling, offering to sell, and/or operating its "Waldo Health  
9 Management System" in the United States.

10 49. Waldo's infringement of the '236 Patent has been willful and deliberate and will continue  
11 unless enjoined by the Court.

12 50. Bosch has been damaged by Waldo's infringing activities and will be injured irreparably  
13 unless such activities are enjoined by this Court.

14 **RELIEF REQUESTED**

15 **WHEREFORE**, Plaintiff Robert Bosch Healthcare Systems, Inc. respectfully prays for a  
16 judgment:

- 17 a. Enjoining permanently Waldo Networks, Inc. from making, using, selling, or offering to  
18 sell its infringing system in the United States;
- 19 b. Awarding damages against Waldo Networks, Inc. for its infringing activities;
- 20 c. Awarding Bosch treble patent infringement damages, attorneys' fees, costs and expenses in  
21 this action pursuant to 35 U.S.C. §§ 284 and 285 because Waldo's infringing activities have been willful  
22 and deliberate and this is an exceptional case;
- 23 d. Awarding pre- and post-judgment interest as provided by law; and
- 24 e. Awarding such other relief as is deemed just and equitable.

25 ///

26 ///

27 ///

28 ///

**JURY DEMAND**

Plaintiff hereby demands a trial by jury with respect to all counts.

DATED: January 4, 2012

DORSEY &amp; WHITNEY LLP

By: Patricia A. Welch  
PATRICIA A. WELCH  
Attorneys for Plaintiff Robert Bosch Healthcare  
Systems, Inc.